

## **REMARKS/ARGUMENTS**

The above identified patent application has been amended and reconsideration and reexamination are hereby requested.

Claims 21, 23-27, 29-33, and 39-42 are now pending in the application. Claims 21, 23, 24, 26, and 29-32 have been amended. Claims 39-42 have been added.

The Applicant thanks the Examiner for the Examiner Interview conducted on January 8, 2009. In the Interview, it was discussed that it is known in the art that the rendering control service does not include information related to play, stop, pause, and seek, as evidence by <http://www.go-embedded.com/UPnP%20White%20Paper.pdf>. In addition, the limitation “obtaining state information … related to rendering states in which data of the content is rendered” in claim 21 was discussed in relation to Runkis. The Examiner agreed that Runkis does not appear to teach “obtaining state information … related to rendering states.”

### ***Claim Rejections - 35 U.S.C. § 112***

The Examiner has rejected claims 21 and 26 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Applicant has amended claims 21 and 26 and submits that claims 21 and 26 now comply with the written description requirement.

### ***Claims Rejections - 35 U.S.C. § 103***

The Examiner has rejected claims 21, 23-27, and 29-33 under 35 U.S.C. § 103(a) as being unpatentable over Runkis (US 2003/0046338) in view of Ludwig, Jr. (US 5,751,338).

Amended independent claim 21 recites “… obtaining state information from at least two services involved in the playback of the content, the state information comprising information related to data transport control of the content and information related to rendering states in which data of the content is rendered.” Amended independent claim 26 recites “… obtains state information from at least two services involved in the playback of the content, the at least two services comprising the at least

one service, the state information comprising information related to data transport control of the content and information related to rendering states in which content data is rendered.” The Applicant submits that the above recitations as claimed in claims 21 and 26 are neither taught nor suggested nor are an obvious result from a reasonable combination of the teachings in the references Runkis and Ludwig, Jr., alone or in combination.

In issuing the rejection to claims 21 and 26, the Examiner pointed to paragraph [0078] of Runkis. Runkis, while providing for a user to be able to pause a movie in one location and continue watching the same movie at a different location from the point at which it was interrupted (paragraph [0078]), does not disclose the above recitations. In Runkis, information related to control over the transport of the video is obtained (i.e., pause, play from paused location). However, Runkis does not teach “obtaining state information … related to rendering states in which data of the content is rendered.” Nor does Runkis teach “obtains state information … related to rendering states in which content data is rendered.” Information related to rendering states is information related to the rendering of the content data, such as volume (see, for example, paragraph [0038] of the current patent application US 2007/0112932), and does not include play, stop, pause, and seek as previously discussed.

Ludwig, Jr. also does not disclose the above recitations. Accordingly, because the cited references do not teach or suggest all of the claim limitations, the Applicant submits that the *prima facie* case of obviousness is not established, and therefore claims 21 and 26 are unobvious and patentable over the cited references.

Claims 23-25, 39, and 41 are dependent on independent claim 21 and therefore include all of the limitations of claim 21 and additional limitations therein. As such, these claims are also allowable based upon claim 21 and the additional limitations therein. Claims 27, 29-33, 40, and 42 are dependent on independent claim 26 and therefore include all of the limitations of claim 26 and additional limitations therein. As such, these claims are also allowable based upon claim 26 and the additional limitations therein.

Therefore, in view of the above amendment and remarks, the Applicant respectfully submits that the claims are patentably distinct over the prior art and that all

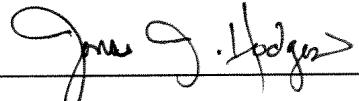
the rejections to the claims have been overcome. As such, allowance of the above Application is requested. If there are any remaining issues that can be addressed over the telephone, the Examiner is cordially invited to call the Applicant's attorney at the number listed below.

Respectfully submitted,

LEE, HONG, DEGERMAN, KANG & WAIMEY

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By



Jonas J. Hodges  
Reg. No. 58,898  
213-873-8092